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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,333	01/30/2004	Young-Hoon Yoo	8054-34 (LW9064US/HJ)	6528
22150	7590	11/30/2005	EXAMINER	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			TON, MINH TOAN T	
			ART UNIT	PAPER NUMBER
			2871	
DATE MAILED: 11/30/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No.	Applicant(s)	
	10/768,333	YOO ET AL.	
	Examiner	Art Unit	
	Toan Ton	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on papers filed 11/04/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) 25-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2871

Election/Restriction

1. An election of Group I corresponding to claims 1-24 is acknowledged. Group I, a product (classified in 349/155), is patentably distinct from Group II, a method (classified in 349/187). Claims 25-37 are withdrawn from consideration.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-9 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Tani (US 6392735).

Tani discloses a liquid crystal display device comprising: a first substrate; a common electrode formed over the first substrate; a second substrate disposed opposite the first substrate; and a common voltage applying member that applies a common voltage to the common electrode and that maintains a cell gap between the first substrate and the second substrate, the common voltage-applying member comprising an insulator 22' and a conductor formed over the insulator (see at least Figure 7).

Tani discloses the liquid crystal display device comprising a liquid crystal layer formed between the first substrate and the second substrate.

Tani discloses the liquid crystal display device comprising the common electrode formed of the same material as the conductor (see at least Figure 7, element 23).

Art Unit: 2871

Tani discloses the liquid crystal display device comprising a black matrix 21 formed over the first substrate, a color filter 22R formed in openings of the black matrix, wherein the common electrode is formed over the black matrix and the color filter.

Tani discloses liquid crystal display device comprising the color filter (22, 22', 22'') made of the same material as the insulator.

Tani discloses the liquid crystal display device comprising a red color filter 22, a green color filter 22' and a blue color filter 22'', each of the red, green and blue color filters being formed in a respective opening of the black matrix 21.

Tani discloses the liquid crystal display device comprising a plurality of gate bus lines formed over the second substrate; a plurality of data bus lines extending perpendicular to the plurality of gate bus lines; a plurality of gate electrodes extending from the plurality of gate bus lines; and a plurality of source electrodes extending from the plurality of data bus lines, wherein the plurality of gate electrodes and the plurality of source electrodes form a plurality of thin film transistors. Tani also discloses the liquid crystal display device comprising a plurality of pixel electrodes formed over the second substrate, each of the plurality of pixel electrodes being electrically connected to a respective one of the plurality of drain electrodes.

Tani discloses the display device comprising a planarizing layer formed over the first substrate, the planarizing layer is formed between the insulator and the conductor of the common voltage-applying member (see at least Figure 7). Here, Tani discloses similar structural device as Applicant's at least Figure 1.

Art Unit: 2871

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 10 and 13-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tani as applied to claims 1-3, 5-9 and 10-12 above.

It is known and a common goal in the art to minimize components/manufacturing steps accomplished by eliminating extra layers/steps for advantages such as cost-reduction. Forming the pixel electrodes with the same material as the conductor would yield advantages such as cost-reduction, as it is known and a common goal in the art. Thus, it would have been at least obvious to one of ordinary skill in the art at the time the invention was made to form the pixel electrodes with the same material as the conductor for yielding advantages such as cost-reduction, as it is known and a common goal in the art.

Forming the color filter on either substrate appears simply as at least obvious variations (i.e., not patentably distinct) to one another. Thus, it would have been at least obvious to one of ordinary skill in the art at the time the invention was made to form the color filter on either substrate appears simply as at least obvious variations (i.e., not patentably distinct) to one another, for producing a color display device.

The use of spacers is common and known in the art for achieving advantages such as maintaining a constant gap between the substrates. Tani discloses the color filters disposed between the substrates in the manner of the spacing structure. Further, it would have been at least obvious to one of ordinary skill in the art at the time the invention was

Art Unit: 2871

made to form the color filters with the same material as the insulator for advantages such as cost-reduction, as it is known and a common goal in the art, while maintaining the constant gap between the substrates.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan Ton whose telephone number is (571) 272-2303.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 28, 2005


TOAN TON
PRIMARY EXAMINER